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*Attorneys for Plaintiff*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

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AUDIOVOX COMMUNICATIONS  
CORP.,

Plaintiff,

v.

TOSHIBA CORPORATION, *et al.*

Defendants.

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)  
) Civil Action No. 1:10-cv-04982  
) (AKH)  
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) ECF CASE  
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**NOTICE OF MOTION TO STRIKE AFFIRMATIVE DEFENSES**

PLEASE TAKE NOTICE that, Plaintiff Audiovox Communications Corporation, by undersigned counsel and pursuant to Rule 12(f) of the Federal Rules of Civil Procedure, hereby moves this Court to strike as insufficient the fourth, fifth and sixth affirmative defenses asserted

by defendant Pantech Co., Ltd. in its Answer, Affirmative Defenses, and Counterclaim filed on November 21, 2011. The grounds for this motion are set forth in the Memorandum of Law filed herewith.

Respectfully submitted,

DUANE MORRIS LLP

/s/Gregory P. Gulia

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Date: December 15, 2011